

**IN THE CLAIMS:**

1     1.     (Original) A fluid controlling assembly for use in a direct oxidation fuel cell,  
2     which fuel cell has an anode chamber and a cathode chamber, the assembly comprising:  
3     an adjustable component at least a portion of which is disposed within the cathode cham-  
4     ber of the fuel cell, and said component, when adjusted, regulates the rate at which fluids  
5     travel into and out of the cathode chamber of the fuel cell.

1     2.     (Original) The fluid controlling assembly as defined in claim 1 wherein said ad-  
2     justable component regulates the rate of flow of oxygen into and out of said cathode  
3     chamber and in a predetermined adjustment state is used to shut down the fuel cell by  
4     substantially preventing oxygen from flowing into said fuel cell.

1     3.     (Original) The fluid controlling assembly as defined in claim 1 further compris-  
2     ing:

3             (i)     at least one rotatably mounted frame disposed adjacent an oxygen source  
4             associated with a cathode side of said direct oxidation fuel cell;

5             (ii)    a gas impermeable component comprised of a membrane that is disposed  
6             within said frame such that said frame in a first position controls the rate of the  
7             flow of oxygen into and out of the cathode chamber, and in a second position sub-  
8             stantially resists the flow of oxygen into the cathode chamber.

1     4.     (Original) The fluid controlling assembly as defined in claim 1 further compris-  
2     ing a plurality of frames rotatably mounted on hinges disposed over an oxygen source  
3     associated with the cathode side of said fuel cell, and each said frame includes a gas im-  
4     permeable material disposed within the frame.

1     5.     (Original) The fluid controlling assembly as defined in claim 1 wherein the direct  
2     oxidation fuel cell is an air breathing fuel cell, said oxygen source is ambient air, and said

3 one or more frames are placed over the air breathing face of the fuel cell to control the  
4 flow of ambient air into and out of the fuel cell.

1 6. (Original) The fluid controlling assembly as defined in claim 1 further compris-  
2 ing

3 a control system for variably actuating the position of said adjustable component  
4 of said fluid controlling assembly.

1 7. (Original) A fluid controlling assembly for use in a direct oxidation fuel cell,  
2 comprising:

3 (i) a first component that includes an aperture disposed in a cathode chamber  
4 of the direct oxidation fuel cell; and

5 (ii) a corresponding second component such that placement of the first com-  
6 ponent relative to the second component results in an opening that permits the  
7 flow of fluids therethrough, and when closed restricts the flow of fluids into the  
8 cathode chamber.

1 8. (Original) The fluid controlling assembly as defined in claim 7 further compris-  
2 ing said first and second components are generally planar components that include corre-  
3 sponding apertures, which when aligned create openings and said first and second com-  
4 ponents can be adjusted relative to one another to control the rate of fluid flow through  
5 said openings.

1 9. (Original) The fluid controlling assembly as defined in claim 8 further compris-  
2 ing said apertures of said first and second components being lined with a gas permeable,  
3 liquid impermeable film that controls the rate of flow of oxygen therethrough to control  
4 the cathode reactions, yet restricts the flow of liquid water therethrough such that humid-  
5 ity is maintained within the cathode chamber.

1    10       (Original) The fluid controlling assembly as defined in claim 7 further compris-  
2    ing a control system for variably actuating the position of at least one of said first and sec-  
3    ond components of said fluid controlling assembly.

1    11. – 26. (Cancelled)